

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3305 of 1984

and

Special Civil Application No. 3306 of 1984

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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RANMALBHAI R. PARMAR- DELETED AS PER COURT'S ORDER

Versus

DISTINSPECTOR OF LAND RECORD

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Appearance:

None present for for petitioners in both petitions.

Mr HL Jani for Respondents in both petitions.

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 18/11/97

ORAL JUDGEMENT

Heard the learned counsel for the respondents and perused the Special Civil Applications. Since both the special civil applications proceed on same facts and the impugned order is common, both the petitions have been taken up for hearing together and are being disposed of by this

common judgment.

It is not in dispute that the petitioners were appointed seasonally and on completion of the season their services were brought to an end. That action of the respondents has been challenged by the petitioners before this Court.

In both these petitions the order of termination of service of the petitioners have been stayed by this Court and for all these years they are continued in service. These petitions have been filed in the year 1984 and for the interim order of this Court there is no question of termination of their services on completion of the season during this period.

In view of the fact that the petitioners are in continuous service for more than 13 years, may be under the order of the Court, and for all these years they are not treated to be seasonal appointee, it is in the interest of justice that the matter be disposed of with direction to the respondents to consider whether now at this junction it will be considered to be a case of seasonal appointments of the petitioners and the services of the petitioners would be dispensed with. This exercise has to be undertaken and completed within a period of six months from the date of receipt of the writ of this order. Till then the interim relief granted by this Court shall continue. In case the respondents decide the matter against the petitioners then a reasoned order may be passed and copy of the same may be sent to the petitioners by registered post acknowledgment due. In the eventuality of the order being passed is adverse to the petitioners, the same shall not be given effect to for one month from the date of despatch of the copy of the same to the petitioners and liberty is granted to the petitioners for revival of these special civil applications in case of difficulty on simple note.

Both the special civil applications and rule stand disposed of in terms aforesaid with no order as to costs.